

REMARKS

This Amendment is responsive to the official action dated October 20, 2006. Claims 1-11, 49-63, 87, and 88 were pending in the application. In the official action, claims 1-11, 49-63, 87, and 88 were rejected. In this Amendment, claims 1-11 and 49-63 have been amended, and new claims 89-96 have been added. Claims 1-11, 49-63 and 87-96 thus remain for consideration.

Applicants submit that claims 1-11, 49-63, and 87-96 are in condition for allowance and request withdrawal of the rejections in light of the following remarks.

Claim Objections

Claim 5 was objected to because of a spelling error.

Claim 5 has been amended to correct the spelling error. Accordingly, Applicants submit that claim 5 is compliant with all formality requirements and request that the objection to claim 5 be withdrawn.

§112 Rejections

Claims 2-10 and 50-63 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claims 2-10 and 50-63 have been amended. Applicants submit that the amendments to claims 2-10 and 50-63 render claims 2-10 and 50-63 compliant with all formality requirements. Accordingly, Applicants request that the rejections under §112 be withdrawn.

§102 Rejections

Claims 1-11, 49-63, 87 and 88 were rejected under 35 U.S.C. §102(b) as being anticipated by Daggar (U.S. Patent No. 5,748,737).

Applicants submit that independent claims 1, 11, and 49 are patentable over Daggar.

Applicants' invention as recited in claims 1, 11 and 49 is directed toward a data reproducing apparatus and a data reproducing method. Each of claims recites that reproduction "right data" is updated or changed upon reproduction of contents data, and that the "right data" is updated or changed according to subordinate data which corresponds to the contents data. Each of the claims further recites that "said subordinate data include[es] a reproduction log identifying reproduced contents." Supporting disclosure for the "reproduction log" aspect of Applicants' invention can be found in the specification at, for example, page 17, line 26 - page 19, line 21.

Daggar does not disclose updating or changing reproduction right data according to subordinate data that includes a reproduction log identifying reproduced contents. Accordingly, Applicants believe that claims 1, 11, and 49 are patentable over Daggar on at least this basis.

Further, since dependent claims inherit the limitations of their respective base claims, Applicants believe that dependent claims 2-10, 50-63 and 87-96 are patentable over Daggar for at least the same reasons as discussed in connection with claims 1, 11, and 49.

Applicants respectfully submit that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to telephone the undersigned at (908) 654-5000.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 12-1095.


Application No.: 09/869,816

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The Examiner's consideration of this matter is gratefully acknowledged.

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Respectfully submitted,

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